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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JAN 08 2008 *sew*  
Jan 9, 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

Dawayne Tolliver

(Enter above the full name  
of the plaintiff or plaintiffs in  
this action)

**08CV0198**  
**JUDGE MANNING**  
**MAG. JUDGE NOLAN**

vs.

Case No. \_\_\_\_\_  
(To be supplied by the Clerk of this Court)

J. Pentimone  
Police Officer Badge #6054  
Chicago Police Department  
3340 W. Fullmore

liability of Supervisory Officers, Other Officers present at the scene,  
Individual Officer with immediate contact with the plaintiff, On 9-23-07  
(Enter above the full name of ALL  
defendants in this action. Do not  
use "et al.")

**CHECK ONE ONLY:**

☒

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983**  
U.S. Code (state, county, or municipal defendants)

☐

**COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**  
**28 SECTION 1331 U.S. Code (federal defendants)**

☐

**OTHER (cite statute, if known)**

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

**I. Plaintiff(s):**

- A. Name: Dawayne Tolliver
- B. List all aliases: \_\_\_\_\_
- C. Prisoner identification number: 20070072569
- D. Place of present confinement: Cook County jail
- E. Address: P.O. Box 089002, Chicago, Ill. 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

**II. Defendant(s):**

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: J. Pentimone  
 Title: Police Officer Badge 6054  
 Place of Employment: Chicago Police Dept, 3340 W. Fullmore
- B. Defendant: Supervisory Officers To be Subpoena Name Badge No #  
 Title: Liability of Supervisory Officers  
 Place of Employment: Chicago Police Department
- C. Defendant: Other Officers present at the Scene To be Subpoena Name Badge No #  
 Title: Other Officer 3  
 Place of Employment: Chicago Police Department

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

Individual Officer with immediate contact with the plaintiff

Individual Officer

Chicago, Police Department

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: Tolliver Vs Cook County Sheriff,
- B. Approximate date of filing lawsuit: 1-5-06/10-3-06/11-27-07/12-3-07  
12-3-07
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Dawayne Tolliver no aliases
- D. List all defendants: Tolliver Vs Cook County Sheriff, Tolliver Vs.  
Cook County Medical Administration, City of Chicago  
Chicago Police Department, Chicago Police Officer  
Jenkins, City of Chicago, Superintendent
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Northern District of Illinois Eastern District
- F. Name of judge to whom case was assigned: Judge Gettlerman
- G. Basic claim made: Depled of Medical Treatment and  
Conditions of Confinement
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): haven't happen yet yes  
This case still pending
- I. Approximate date of disposition: It haven't happen yet  
I believe

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

Name of case and docket number, Tolliver Vs. Cook County Sheriff Medical Dept., Tolliver Vs. Cook County Dept. Administration

Approximate date of filing lawsuit, 1-5-06/10-3-06/11-27-07/11-29-07  
12-3-07

List all plaintiffs [if you had co-plaintiffs] including and a/lase Dawyne Tolliver No aliases

List all defendants, Chicago Police Officers Jenkins, City of Chicago, Chicago Police Department, Chicago Police Officers, City of Chicago, Superintendent Cook County Sheriff Medical Staff, Cook County Administrator, City of Chicago

Name of Judge to whom case was assigned [for different cases Judge's Hobbsen, Buckle, John W. Darnah

United States District Court, Northern District of Illinois, 219 S. Dearborn Street Eastern Division of Illinois District

Basic claim made, Police Brutality, Police Misconduct, Cook County Jail Cook County Medical Dept, City of Chicago, Police Officer Jenkins, Chicago Police Department, City of Chicago, Chicago Police Department et, al.

Disposition of this case [for example: Was the case dismissed? one of them, Was it appealed? No, Is it still pending? Yes

Approximate date of disposition? No, It haven't happen yet,

I have gave all the information concerning this complaint form from the federal court to comply with the court to my know ledge and to be inform to my lack of information I inform the court with what I can remember and to ask for assistance if I forgot something please inform me and I do my best to straight it out  
Dawyne Tolliver

## IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Liability of Supervisory Officers, Other Officers present at the scene, Individual Officer ~~pres~~ with immediate contact with the plaintiff, On 9-23-07 Although the Supervisors weren't actually present at the scene they are liable for acquiescing their unlawful activities, of having prior complaints of Misconduct. this particular Section 3340 W. Fillmore, special operation. Supervisor failure to act has amounted to rough, reckless and even deliberate indifference to my constitutional rights. When Misconduct of these subordinates reached me when I was stopped without reason, questioned on the spot, searched, then disrobed to match the description - impartial. Of a wanted suspect. Then with this, the Officer J. Perntimone #6054 Violated the privacy of my body, an act that was so offensive and undecent, in search of drugs. The said officer tugged on the waist band of my pants to have clear view of my genitals and then my rear area - using a piece of trash, [this being a stick of some sort] from the ground to dig in my ass cheek in search of Herione, in public.

making false allegations and further much more signing and filing a Complaint, falsely against me Allegation of watching ~~the~~ commit a crime, but at the same time detained an innocent person, just as myself, in search of ~~their~~ suspect. Why stop another person if observed me committing a crime. upon discovery of my (partial description) red shirt. A partial description to their suspect. I was then made this officer's wanted suspect. This officer J. Pentimone gave my property this being the article of clothes I was disrobed of to match or made to match in partial a person being sought for drug sells. A B1K hoodie and cell phone and they not only tried to deprive me of my property, but my currently as well, freedom too, and to give him a gun he would let me go free, and this is a violation of my Constitution, Civil Rights, under the United States of America

**V. Relief:**

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

To Be Compensate for physical pain and hurt from  
inflicting cruel and unusual punishment on me of  
hurt and pain, for him to be a Officer of Law to  
make me suffer physical and mental pain and hurt,  
and criminal charge's against him Ten Million Dollars

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

**CERTIFICATION**

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Dawayne Tolliver

(Signature of plaintiff or plaintiffs)

Dawayne Tolliver

(Print name)

20070072569

(I.D. Number)

P.O. Box 089002

Chicago, Ill. 60608

(Address)